

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF BELL SOUTH	)	
TELECOMMUNICATIONS, INC. FOR	)	
APPROVAL OF THE RESALE	)	
AGREEMENT NEGOTIATED BY	)	
BELL SOUTH TELECOMMUNICATIONS,	)	CASE NO. 96-353
INC. AND SOUTHEAST TELEPHONE,	)	
LTD. PURSUANT TO SECTIONS	)	
251 AND 252 OF THE	)	
TELECOMMUNICATIONS ACT OF 1996	)	

O R D E R

On October 16, 1996, the Commission approved an interconnection agreement between BellSouth Telecommunications, Inc. ("BellSouth") and SouthEast Telephone, Ltd. ("SouthEast"), pursuant to the Telecommunications Act of 1996, 47 U.S.C. § 251 and 252. On July 17, 1997, the Commission approved an amended interconnection agreement. SouthEast subsequently filed a motion requesting that the Commission determine the feasibility of copper or coaxial cable for interconnection in rural areas.<sup>1</sup> SouthEast wished to use either of these media for its interconnection with BellSouth in rural areas instead of using fiber. BellSouth believed fiber to be a more efficient medium for interconnection.<sup>2</sup>

---

<sup>1</sup> Petition of SouthEast Telephone, Ltd., filed March 30, 1998.

<sup>2</sup> Answer of BellSouth Telecommunications, Inc., filed June 29, 1998.

The Commission then held an informal conference on September 29, 1998,<sup>3</sup> which resulted in the parties' agreement to continue negotiations and to keep the Commission informed. On March 25, 1999, BellSouth sent SouthEast a letter proposing that the agreement be filed as it was at that time, but with the modification that BellSouth would be able to declare any wire center as non-rural under certain special circumstances which BellSouth would determine with SouthEast.<sup>4</sup> To date, no objection to this modification has been filed with the Commission. The amended agreement (filed on June 13, 1997 and approved by the Commission on July 17, 1997) contains a provision for the agreement to become effective by the Commission's Order and to be retroactively applied to the agreed-upon date of May 15, 1999.<sup>5</sup>

IT IS THEREFORE ORDERED that:

1. The interconnection agreement between BellSouth and SouthEast shall incorporate the modification that BellSouth be allowed to declare any wire center as non-rural under certain special circumstances which BellSouth would determine with SouthEast.
2. Within 30 days of the date of this Order, BellSouth and SouthEast shall file with the Commission their modified interconnection agreement.

---

<sup>3</sup> Order of Commission, filed September 15, 1998.

<sup>4</sup> Letter from BellSouth to SouthEast, filed with the Commission on March 25, 1999.

<sup>5</sup> Amended agreement at 3.

Done at Frankfort, Kentucky, this 22<sup>nd</sup> day of June, 1999.

By the Commission

ATTEST:

---

Executive Director